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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/682,279	08/13/2001	Cecil Earl Williams JR.	476901	4829

7590

02/04/2003

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EXAMINER

TRIEU, VAN THANH

ART UNIT

PAPER NUMBER

2632

DATE MAILED: 02/04/2003

23

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/682,279

Applicant(s)

WILLIAMS, CECIL EARL

Examiner

Van T Trieu

Art Unit

2632

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 December 2002.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 5-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 5-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All   b) ☐ Some \*   c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)                      4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)                      5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 22.                      6) ☐ Other: \_\_\_\_\_

***DTAILED ACTION***

***Specification***

1. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: the claimed limitations of “the USB wire utilizes only positive and negative wires contained therein.” And “the USB wire utilizes only the Vbus wire and the GND wire.”. Those four (4) wires are not provided its use and functions in the specification, but only the standard USB wire is shown in Figure 2B.

***35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 7 and 8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claimed limitations of “the USB wire utilizes only positive and negative wires contained therein.” And “the USB wire utilizes only the Vbus wire and the GND wire.”, are unclear and indefinite because the specification indication of the standard USB cable which includes 4 wires. The specification does not clearly illustrate which wires are utilized only for providing electrical power.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 5-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Tseng** [US 5,615,945 in view of **Kim** [US 5,938,770].

Regarding claim 5, **Tseng** discloses a light device for use with a computer including an elongated, hollow, flexible neck 1 (flexible, tubular and stabilizing agent), a plug 3 fastened to the flexible neck at one end for connection to an electrical socket 4 on the computer via a plurality of contact pins 32 and a lamp assembly 2 fastened to the flexible neck 1 at an opposite end and connected to the plug by electrical wires 33, see Figs. 2-4, col. 1, lines 47-64, col. 2, lines 25-67 and col. 3, lines 1-3. But **Tseng** silence about the universal serial bus (USB) electronically coupled to first end of the elongate, standard USB wire. However, **Tseng** teaches that the plug 3 is fasten to the electric socket 4 on the computer, which is used by the keyboard or interface card of the computer, see Figs. 3 and 4, col. **Kim** discloses a keyboard 12, other peripheral devices such as a printer 14, a light pen 52, a mouse 53, a plotter, a speaker 72 and/or a microphone 84 are connected to a personal computer 10. The downstream ports DP4 and DP5 of the keyboard 12 are respectively connected to USB device connectors DC4 and DC5 of the light pen 52 and mouse 53, see Figs. 1, 5-11 and 13, col. 4, lines 10-20, col. 6, lines 37-67 and col. 7, lines 13-24. Therefore, it would have been obvious to one

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of ordinary skill in the art at the time the invention was made to substitute the USB ports/connectors of **Kim** for the plug and socket of **Tseng** for connecting the flexible light device to the personal computer, since the computer is not provided with a plug and a play function, it is difficult for a user to connect the peripheral devices to the computer, because the peripheral devices such as the keyboard, monitor, printer, light pen, mouse, plotter are complicated to connect the personal computer. Thus, a USB system has been developed to make it easier and quicker for the user to connect the peripheral devices to the computer, see **Kim**, col. 1, lines 29-37, 50-56 and col. 4, lines 10-20.

Regarding claim 6, **Tseng** fails to disclose the claimed USB wire does not transfer data. However, according to the substituted standard USB wire/cable between **Tseng** and **Kim** in respect to claim 5 above for illuminating the lamp bulb 251, wherein **Kim** suggests that the standard USB cable 30 has four wires Vbus, GND, D+ and D-. The two wires Vbus and GND for delivering power to the USB devices while the D+ and D- are provided to transfer the USB transfer signal, see **Kim**, Fig. 10, col. 6, lines 48-54. Therefore, It would have been obvious to one of ordinary skill in the to recognize that it is a design choice or user choice to utilize/adapt only the Vbus and GND for illuminating the lamb. The USB cable will not be affected or change when the D+ and D- wires are not utilize for transferring data.

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Regarding claim 7, all the claimed subject matters are discussed between **Tseng** and **Kim** in respect to claims 5 and 6 above, wherein it is obvious to one of skill in the art to recognize that it is a design choice or user choice to utilize/adapt only the positive D+ wire and negative D- wire in the standard USB cable for use as desire by a user.

Regarding claim 8, all the claimed subject matters are discussed between **Tseng** and **Kim** in respect to claims 5 and 7 above, wherein it is obvious to one of skill in the art to recognize that it is a design choice or user choice to utilize/adapt only the Vbus wire and GND wires in the standard USB cable for use as desire by a user.

### ***Response to Arguments***

4. Applicant's arguments filed on 20 December 2002 have been fully considered but they are not persuasive. Because,

#### **Applicant's arguments:**

(A) **Tseng** only has one cable and therefore does not contribute to the problem the **Kim** addresses.

(B) There is no need to replace the plug and socket of **Tseng** because it is already an easy and well-understood connection system.

(C) **Tseng** teaches a peripheral device having only one cable. **Kim** teaches a one-plug connection mechanism for peripheral devices having multiple cables.

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(D) **Tseng** teaches the connection of a lighting device, which only requires electricity to operate, to a computer. **Kim** teaches the connection of multi-cable peripherals, which required both data signal and power, to a computer.

(E) **Kim** did not even consider a light source as a potential peripheral device because there would be no expectation of success using the USB without undue experimentation required to adjust the voltage to the needs of the light.

(F) None of the peripheral devices taught by **Kim** transfer solely power.

Response to the Arguments:

(A) The combination between **Tseng** and **Kim** is only intended to utilize the standard USB cable/wire for illuminating the light or lamp of **Tseng**, wherein the standard USB cable/wire of **Kim** was designed with two wires Vbus and GND for delivering power to the USB devices and two wires D+ and D- are provided to transfer the USB transfer signal, wherein the Vbus and GND wires are utilized to power the light or lamp. And the USB cable/wire is in a form of one cable.

(B) Replacing of plug and socket of **Tseng** with the USB device is obvious according to the computer or electronic game technology today since the computer peripheral devices such as a printer, a light pen, a plotter or the like are connected to the computer, it is complicated to connect the computer to the peripheral devices. The USB device has been developed to solve the complicated connections between the computer and peripheral devices to make it easier for a user.

(C) As discussed in (A) above, the only one USB cable/wire is combined between **Tseng** and **Kim**. The combination does not intend to substitute the whole problem and system of **Kim** to **Tseng**, it is only focus to utilize the standard USB cable/wire for illuminating the light or lamp to a computer.

(D) Again, it is obvious to one skill in the art to select only the standard USB cable/wire for illuminating the light or lamp bulb to the computer without affecting to the other peripheral devices as disclosed in **Kim**. In other word, the single standard USB cable/wire can be adapted to operate the light or lamp alone.

(E) It is obvious to one skill in the art to modify the power supply voltage level for operating a particular light/lamp that has a voltage ranges from 0.7 volt for LED light to 12 volt for a small light bulb, whether it is a light pen or a small light/lamp being used on a computer. The light/lamp requires only a positive voltage wire and a negative/ground wire connected between the power supply/source to the light/lamp. Furthermore, since those small light/lamp requires only a very small amount of electrical current to illuminate it, thus the wires in the standard USB cable are suitable to the amount of current required to illuminate the light pen or the other small light/lamp.

(F) **Kim** suggests of using the standard USB cable having four wires for providing electrical power to the light pen and as well as data signal. It would have been obvious



to one skill in the art to recognize the standard USB cable can be adapted to provide only electrical power to the light pen or lamp as desired by a user, since it requires only two wires of out four wire to operate the light.

### ***Conclusion***

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

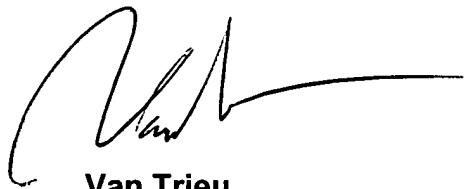
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to primary examiner **Van Trieu** whose telephone number is (703) 308-5220. The examiner can normally be reached on Mon-Fri from 7:00 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. **Jeffery Hofsass** can be reached on (703) 305-4717.

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The office facsimile number is (703) 872-9314.

A handwritten signature in black ink, appearing to read 'Van Trieu', with a long horizontal flourish extending to the right.

**Van Trieu**  
**Primary Examiner**  
**Date: 1/30/03**